

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 650

Introduced by Assembly Member Hill
(Principal coauthor: Senator Yee)

February 25, 2009

~~An act relating to local government, and declaring the urgency thereof, to take effect immediately. An act relating to parks, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 650, as amended, Hill. ~~Local government: City of Half Moon Bay.~~ Parks: City of Half Moon Bay.:

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election, among other things, makes \$400,000,000 in bond funds available to the Department of Parks and Recreation for competitive grants for local and regional parks.

This bill would appropriate \$10,000,000 of the \$400,000,000 available from the bond act to the Department of Parks and Recreation for a grant to the City of Half Moon Bay to purchase certain property known as the Beachwood Property for the sole purpose of development as a public park.

The bill would provide that in any case in which the provisions of the bill and the initiative conflict, the initiative shall prevail.

~~Existing law authorizes a local government to enter into financial arrangements on behalf of its locality.~~

~~This bill would declare that it is the intent of the Legislature to enact legislation to assist the City of Half Moon Bay to reach a favorable financial resolution arising from liabilities the city has incurred relating to specific property.~~

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) From the four hundred million dollars
2 (\$400,000,000) available to the Department of Parks and
3 Recreation pursuant to subdivision (b) of Section 75065 of the
4 Public Resources Code, ten million dollars (\$10,000,000) is hereby
5 appropriated to the Department of Parks and Recreation for a
6 grant to the City of Half Moon Bay to purchase certain property
7 known as the Beachwood Property for the sole purpose of
8 development as a public park.

9 (b) Any amounts outstanding to complete the purchase of this
10 property for a public park shall be provided from funds of the City
11 of Half Moon Bay or from loans and contributions to the City of
12 Half Moon Bay for this purpose.

13 (c) This appropriation specified in subdivision (a) is made to
14 assist the City of Half Moon Bay relating to its settlement
15 agreement in the case of *Yamagiwa v. City of Half Moon Bay* (N.D.
16 Cal. 2007) 523 F. Supp.2d 1036, involving certain property known
17 as the Beachwood Property in the City of Half Moon Bay.

18 SEC. 2. In any case in which any of the provisions of this act
19 and Division 43 (commencing with Section 75001) of the Public
20 Resources Code conflict, that division shall prevail.

21 ~~SECTION 1. It is the intent of the Legislature to enact~~
22 ~~legislation to assist the City of Half Moon Bay to reach a favorable~~
23 ~~financial resolution arising from the liabilities the city has incurred~~
24 ~~relating to the Beachwood property located in the city.~~

25 ~~SEC. 2.~~

26 SEC. 3. This act is an urgency statute necessary for the
27 immediate preservation of the public peace, health, or safety within
28 the meaning of Article IV of the Constitution and shall go into
29 immediate effect. The facts constituting the necessity are:

1 ~~In order for the settlement of protracted and expensive litigation~~
2 ~~and the avoidance of possible municipal insolvency, it is necessary~~
3 ~~that this act take effect immediately.~~

4 *In order to provide timely essential relief to the City of Half*
5 *Moon Bay as a result of the settlement agreement in the case of*
6 *Yamagiwa v. City of Half Moon Bay, it is necessary that this act*
7 *take effect immediately.*

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